IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 6th day of May 2005
Criminal Misc. Bail Application No. 169/2005
Order on the bail application of accused

CRIMINAL SIDE

Deepak @ Deepu
S/o Shri Mukandi Lal
R/o H. No.22, Niranjanpur Majra
P.S. Patel Nagar
District Dehradun ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 154/2004
U/S 392 I.P.C.
P.S. Doiwala
District Dehradun

By the court

Hon'ble J.C. S. Rawat, J.

Heard Sri Sandeep Tandon learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the applicant-accused was identified by the two witnesses only out of the five witnesses. The leaned counsel for the applicant further contended that the recovery, which was made on the pointing out of the applicant, is a joint recovery which could not be relied upon. The applicant- accused has already been released on bails in connected case crime No.320/2004 & crime No. 163/2004. The case is triable by the Magistrate. Considering the contentions and facts of the case, it is a fit case for bail.

Let the applicant- accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 06.5.2005
LSR